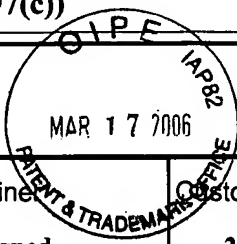


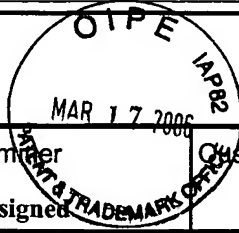
*JPW*

<b>TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT</b> (Under 37 CFR 1.97(b) or 1.97(c))				Docket No. 17703	
In Re Application Of: <b>Maria Cristina Geroni, et al.</b>					
					
Application No.	Filing Date	Examiner	Customer No.	Group Art Unit	Confirmation No.
10/500,606 ✓	June 30, 2004	Unassigned	23389	1614	4724
Title: <b>COMBINED THERAPY AGAINST TUMORS COMPRISING SUBSTITUTED ACRYLOYL DISTAMYCIN DERIVATIVES AND PROTEIN KINASE (SERINE/THREONINE KINASE) INHIBITORS</b>					
Address to: Commissioner for Patents P.O. Box 1450 Alexandria, VA 22313-1450					
<b>37 CFR 1.97(b)</b>					
1. <input checked="" type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed within three months of the filing of a national application other than a continued prosecution application under 37 CFR 1.53(d); within three months of the date of entry of the national stage as set forth in 37 CFR 1.491 in an international application; before the mailing of a first Office Action on the merits, or before the mailing of a first Office Action after the filing of a request for continued examination under 37 CFR 1.114.					
<b>37 CFR 1.97(c)</b>					
2. <input type="checkbox"/> The Information Disclosure Statement submitted herewith is being filed after the period specified in 37 CFR 1.97(b), provided that the Information Disclosure Statement is filed before the mailing date of a Final Action under 37 CFR 1.113, a Notice of Allowance under 37 CFR 1.311, or an Action that otherwise closes prosecution in the application, and is accompanied by one of:					
<input type="checkbox"/> the statement specified in 37 CFR 1.97(e);					
<b>OR</b>					
<input type="checkbox"/> the fee set forth in 37 CFR 1.17(p).					

**TRANSMITTAL OF INFORMATION DISCLOSURE STATEMENT**  
(Under 37 CFR 1.97(b) or 1.97(c))

Docket No.  
17703

In Re Application of: Maria Cristina Geroni, et al.



Application No. 10/500,606	Filing Date June 30, 2004	Examiner Unassigned	Customer No. 23389	Group Art Unit 1614	Confirmation No. 4724
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Title:

**COMBINED THERAPY AGAINST TUMORS COMPRISING SUBSTITUTED ACRYLOYL DISTAMYCIN DERIVATIVES AND PROTEIN KINASE (SERINE/THREONINE KINASE) INHIBITORS**

**Payment of Fee**

(Only complete if Applicant elects to pay the fee set forth in 37 CFR 1.17(p))

- ☐ A check in the amount of \_\_\_\_\_ is attached.
- ☒ The Director is hereby authorized to charge and credit Deposit Account No. 19-1013/SSMP as described below.
- ☐ Charge the amount of \_\_\_\_\_
- ☒ Credit any overpayment.
- ☒ Charge any additional fee required.
- ☐ Payment by credit card. Form PTO-2038 is attached.

**WARNING: Information on this form may become public. Credit card information should not be included on this form. Provide credit card information and authorization on PTO-2038.**

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March 15, 2006  
(Date)

Peter I. Bernstein  
Signature of Person Mailing Correspondence

Peter I. Bernstein  
Typed or Printed Name of Person Mailing Certificate

**\*This certificate may only be used if paying by deposit account.**

Peter I. Bernstein  
Signature

Dated: March 15, 2006

Peter I. Bernstein  
Registration No. 43,497  
Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
516-742-4343

cc:



**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE**

<b>Applicants:</b>	Maria Cristina Geroni, et al.	<b>Examiner:</b>	Unassigned
<b>Serial No.:</b>	10/500,606	<b>Art Unit:</b>	1614
<b>Filed:</b>	June 30, 2004	<b>Docket:</b>	17703
<b>For:</b>	COMBINED THERAPY AGAINST TUMORS COMPRISING SUBSTITUTED ACRYLOYL DISTAMYCIN DERIVATIVES AND PROTEIN KINASE (SERINE/THREONINE KINASE) INHIBITORS	<b>Dated:</b>	March 15, 2006

**Confirmation No.:** 4724

Mail Stop Amendment  
Commissioner for Patents  
P. O. Box 1450  
Alexandria, VA 22313-1450

**INFORMATION DISCLOSURE STATEMENT**

Sir:

In accordance with 37 C.F.R. §§1.97 and 1.98, it is requested that the following references, which are also listed on the attached Form PTO-1449, be made of record in the above-identified case.

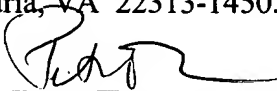
1. PCT International Publication No. WO 01/97789 A2, published December 27, 2001;
2. PCT International Publication No. WO 01/97790 A2, published December 27, 2001;

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**CERTIFICATE OF MAILING UNDER 37 C.F.R. §1.8(a)**

I hereby certify that this correspondence is being deposited with the United States Postal Service as first class mail in an envelope addressed to: Mail Stop Amendment, Commissioner for Patents, P.O. Box 1450, Alexandria, VA 22313-1450.

Dated: March 15, 2006

  
\_\_\_\_\_  
Peter I. Bernstein

3. Ciomei M. et al., "Decreased Tyrosine Phosphorylation in Tumour Cells Resistant to FCE 24517 (Tallimustine)", *British Journal of Cancer*, 72:1504-1508 (1995);
4. Marchini S. et al., " $\alpha$ -Bromoacryloyl Derivative of Distamycin a (PNU 151807): A New Non-Covalent Minor Groove DNA Binder With Antineoplastic Activity", *British Journal of Cancer*, 80(7):991-997 (1999);
5. García A.R. et al., "Structure and Synthesis of Distamycin A", *Nature*, 203:1064-1065 (1964);
6. Arcamone F.M. et al., "Synthesis, DNA-Binding Properties, and Antitumor Activity of Novel Distamycin Derivatives", *J. Med. Chem.*, 32:774-778 (1989);
7. PCT International Publication No. WO 90/11277, published October 4, 1990;
8. PCT International Publication No. WO 98/04524, published February 5, 1998;
9. PCT International Publication No. WO 98/21202, published May 22, 1998;
10. PCT International Publication No. WO 99/50265, published October 7, 1999;
11. PCT International Publication No. WO 99/50266, published October 7, 1999;
12. PCT International Publication No. WO 01/40181 A1, published June 7, 2001;
13. Druker B.J. et al., "Lessons Learned from the Development of an Abl Tyrosine Kinase Inhibitor for Chronic Myelogenous Leukemia", *The Journal of Clinical Investigation*, 105(1):3-7 (2000); and
14. Arbuck S.G. et al., "New Targets for Cancer Chemotherapy", *Cancer Chemotherapy and Biological Response Modifier Annual 19 Chapter II*, 236-288 (2001).

Reference nos. 1-4 was cited in a Search Report dated April 1, 2003 received from the European Patent Office. Applicants are submitting a copy of the above-cited references. The Search Report was filed on June 30, 2004. The relevance of above-identified reference nos. 1-4 has been described in the Search Report. The relevance of above-identified reference nos. 5-14 has been described in the specification.

Inasmuch as this Information Disclosure Statement is being submitted in  
accordance with the schedule set out in 37 C.F.R. § 1.97(b), no statement or fee is required.

Respectfully submitted,

A handwritten signature in black ink, appearing to read 'Peter I. Bernstein', with a long horizontal flourish extending to the right.

Peter I. Bernstein  
Registration No. 43,497

Scully, Scott, Murphy & Presser, P.C.  
400 Garden City Plaza, Suite 300  
Garden City, New York 11530  
(516) 742-4343

PIB:dg

Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE

# **LIST OF PRIOR ART CITED BY APPLICANT**

(Use several sheets if necessary)

**Atty. Docket No. (Optional)**

17703

**Application Number**

10/500,606

**Applicant(s)**

Maria Cristina Geroni, et al.

**Filing Date**

June 30, 2004

**Group Art Unit**

1614

## **U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						
	AB						

## **FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 01/97789 A2	12/27/01	PCT			✓	
		WO 01/97790 A2	12/27/01	PCT			✓	
		WO 90/11277	10/4/90	PCT			✓	
		WO 98/04524	2/5/98	PCT			✓	
		WO 98/21202	5/22/98	PCT			✓	

## **OTHER DOCUMENTS** (Including Author, Title, Date, Pertinent Pages, Etc.)

		Ciomei M. et al., "Decreased Tyrosine Phosphorylation in Tumour Cells Resistant to FCE 24517 (Tallimustine)", <i>British Journal of Cancer</i> , 72:1504-1508 (1995)
		Marchini S. et al., "α-Bromoacryloyl Derivative of Distamycin a (PNU 151807): A New Non-Covalent Minor Groove DNA Binder With Antineoplastic Activity", <i>British Journal of Cancer</i> , 80(7):991-997 (1999)
		García A.R. et al., "Structure and Synthesis of Distamycin A", <i>Nature</i> , 203:1064-1065 (1964)

**EXAMINER**

**DATE CONSIDERED**

\* EXAMINER: Initial if reference considered, whether or not citation is in conformance with MPEP 609; draw line through citation if not in conformance and not considered. Include copy of this form with next communication to applicant.



Form PTO-1449 U.S. DEPARTMENT OF COMMERCE  
(REV. 7-80) PATENT AND TRADEMARK OFFICE**LIST OF PRIOR ART  
CITED BY APPLICANT***(Use several sheets if necessary)***Atty. Docket No. (Optional)**

17703

**Application Number**

10/500,606

**Applicant(s)**

Maria Cristina Geroni, et al.

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**Group Art Unit**

1614

**U.S. PATENT DOCUMENTS**

EXAMINER INITIAL*		DOCUMENT NUMBER	DATE	NAME	CLASS	SUBCLASS	FILING DATE (if appropriate)
	AA						
	AB						

**FOREIGN PATENT DOCUMENTS**

	REF	DOCUMENT NUMBER	DATE	COUNTRY	CLASS	SUBCLASS	TRANSLATION	
							YES	NO
		WO 99/50265	10/7/99	PCT			✓	
		WO 99/50266	10/7/99	PCT			✓	
		WO 01/40181 A1	6/7/01	PCT			✓	

**OTHER DOCUMENTS** *(Including Author, Title, Date, Pertinent Pages, Etc.)*

		Arcamone F.M. et al., "Synthesis, DNA-Binding Properties, and Antitumor Activity of Novel Distamycin Derivatives", <i>J. Med. Chem.</i> , 32:774-778 (1989)
		Druker B.J. et al., "Lessons Learned from the Development of an Abl Tyrosine Kinase Inhibitor for Chronic Myelogenous Leukemia", <i>The Journal of Clinical Investigation</i> , 105(1):3-7 (2000)
		Arbuck S.G. et al., "New Targets for Cancer Chemotherapy", <i>Cancer Chemotherapy and Biological Response Modifier Annual 19 Chapter II</i> , 236-288 (2001)

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